KEN PAXTON
ATTORNEY GENERAL of TEXAS

CUSTODIAL DEATH REPORT

Agency Information

CDR Number:	18-422-UF	Version Type:	ORIGINAL VERSION
Report Date:	5/29/2018 8:59 AM	Status:	Submitted

Agency/Facility Information

Agency Name:	League City Police Dept.	Agency Address:	555 West Walker
Agency City:	League City	Agency State:	TX
Agency Zip:	77573		

Director Information

Director Salutation:	Chief	Director First Name:	Gary
Director Middle Name:			
Director Last Name:	Ratliff		
Reporter Name:	Gregory Flowers	Reporter Email:	greg.flowers@leaguecity.com

Decedent Information

Identity of Deceased

First Name: ROGER

Middle Name: LEE

Last Name: FORTNER

Suffix:

Date of Birth: 8/20/1968 Sex: Male

Race: Anglo or White

Age At Time Of Death: 49

Date/Time of Custody (arrest, incarceration) (mm/dd/yyyy hh:mm AM/PM):

Date/Time of Custody or Incident: 5/1/2018 5:01 AM

Date/Time of Death (mm/dd/yyyy hh:mm AM/PM):

Death Date and Time: 5/1/2018 5:01 AM

Manner / Cause of Death

Has a medical examiner or coroner conducted an evaluation to determine a cause of death?

Medical Examiner/Coroner Evaluation?: Yes, results pending

What was the manner of death? (select only one)

Manner of Death: Homicide (includes Justifiable Homicide)

Medical Cause of Death:

Medical Cause of Death:

Pending the results of the Medical Examiner.

Had the decedent been receiving treatment for the medical condition that caused the death after admission to your jail's jurisdiction?

Medical Treatment: Unknown

If death was an accident, homicide or suicide, who caused the death?

Who caused the death?: Law enforcement/correctional personnel

If a weapon caused the death, what type of weapon caused the death? (Hold CTRL to select all that apply)

Type of weapon that caused death?: Rifle/shotgun

Was the cause of death the result of a pre-existing medical condition or did the decedent develop the condition after admission?

Pre existing medical condition?: Not Applicable; cause of death was accidental injury, intoxication, suicide or homicide

If death was an accident, homicide or suicide, what was the means of death?

Means of Death: Firearm

Location / Custody Information

Where did the event causing the death occur?

Street Address:	314 Morningside	City:	League City
County:	Galveston	Zip:	77573

What location category best describes where the event causing the death occurred?

Location Category: Residence/Home

What type of custody/facility was the Decedent in at the time of death:

Type of Custody: Pre-Custodial Use of Force

Specific type of custody/facility:

Specific Type of Custody/Facility:

N/A

What was the time and date of the deceased's entry into the law enforcement facility where the death occurred (mm/dd/yyyy hh:mm AM/PM):

Entry Date Time:

Entry Date Time N/A: ✓

Where did the death occur?

Death Location: Scene of incident

General Information

Did any other law enforcement agencies respond to calls for service related to this incident?

Other Agencies Respond?: Yes

What were the most serious offense(s) with which the deceased was (or would have been) charged with at the time of death?

Offense 1:

Aggravated Assault with Deadly Weapon

Offense 2:

Possession of Narcotics

Offense 3:

Were the Charges:: Not filed at time of death

What were the types of charges or reason for contact? (Hold CTRL to select all that apply)

Type of Offense: Other, specify

Type of Offense, Other:

Search Warrant being conducted for sale of prohibited weapons.

At any time during the incident and/or entry into the law enforcement facility, did the decedent display or use a weapon?

Decedent display/use of weapons: Yes, mark all that apply

Decedent Display or Use Weapon Details: Displayed other weapon, specify:; Used other weapon, specify:

Specify Weapon Displayed:

Katana Sword

Specify Weapon Used:

Katana Sword

At any time during the incident and/or entry into the law enforcement facility, did the decedent:

Attempt to Injure Others?:	Yes (select all that apply)
Ways Decedent Attempted To Injure Others:	Attempted to injure law enforcement personnel

At any time during the incident and/or entry into the law enforcement facility, did the decedent:

Appear intoxicated (alcohol or drugs):	Unknown	Make suicidal statements?:	No
Exhibit any mental health problems?:	Unknown	Exhibit any medical problems?:	Unknown

At any time during the incident and/or entry into the law enforcement facility, did the decedent:

Barricade self or initiate standoff?:	Yes	Resist being handcuffed or arrested?:	No
Physically attempt/assault officer(s):	Yes	Gain possession of officer's weapon:	No
Verbally threaten other(s) including law:	No	Escape or attempt to escape/flee custody:	No
Attempt gain possession officer's weapon:	No		

Was the deceased under restraint in the time leading up to the death or the events causing the death?

Under Restraint:	No

Summary of Incident

Summary of How the Death Occurred: (max. 30,000 characters)

Summary:

On May 1, 2018 at 5:01 a.m., League City SWAT officers assisted in the execution of a search warrant at 314 Morningside Dr., League City, Texas. Prior to entering the residence, a marked League City Police patrol unit was parked in front of the residence with the overhead lights turned on. The officer made an announcement over the PA system that a police search warrant was being served. Upon entry into the residence, the officers began clearing and securing the residence while announcing "police" in a loud and clear manner. During the clearing of the hallway leading to the bedrooms, Officer Gilbertson observed a subject run into a bedroom and close the door. Officer Gilbertson and Officer Maggiolino made entry into the bedroom and observed a male subject crouched down near the head of the bed with his back to the officers. The male subject stood up and presented a katana sword as he assumed a bladed striking stance within five feet of the officers. Officer Gilbertson ordered the male to drop the sword and then fired his less than lethal impact weapon when the male refused to comply. The round struck the subject on his left side, . Officer Maggiolino used lethal force by firing his rifle several times to stop the males advance. The male was pronounced deceased at the scene.